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RICHARD WOLFE

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK

-----)	:	
GOOGLE INC.,	:	
a Delaware corporation,	:	CV-05-1779 (TCP) (ETB)
	:	
Plaintiff/Counter-Defendant,	:	AFFIRMATION
	:	
v.	:	
	:	
RICHARD WOLFE d/b/a	:	
FROOGLES.COM,	:	
an individual,	:	
	:	
Defendant/Counterclaimant.	:	
-----)	:	

James M. Gibson, deposes and says

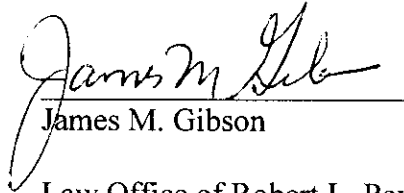
I am a partner at the Law Office of Robert L. Powley, P.C., attorneys for the Defendant/Counterclaimant in the above entitled action and am fully familiar with facts and circumstances set forth herein. I submit this Affirmation in support of Defendant Counterclaimant Richard Wolfe's (hereinafter "Mr. Wolfe") Motion for Leave to Amend His Answer and Counterclaims.

The reasons why Mr. Wolfe is entitled to the relief here sought are stated in the accompanying Memorandum of Law.

WHEREFORE, I respectfully request that the court grant the within motion, as well as such other and further relief that may be just and proper.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: July 14, 2006



James M. Gibson

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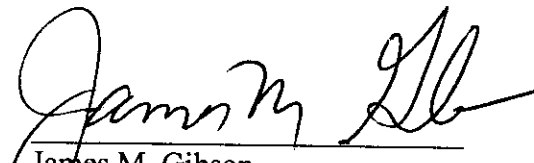
**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Notice of Motion, Defendant/Counterclaimant Richard Wolfe's Motion For Leave To Amend His Answer And Counterclaims Pursuant To Fed. R. Civ. P. 15 (with First Amended Answer and Counterclaims attached as Exhibit A), Memorandum of Law in Support of Defendant/Counterclaimant Richard Wolfe's Motion For Leave To Amend His Answer And Counterclaims Pursuant To Fed. R. Civ. P. 15, and Affirmation of James M. Gibson were duly served on counsel for Plaintiff by email and U.S. first class pre-paid mail in an envelope addressed on this 14th day of July as follows:

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